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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

THIBEAU

Atty. Ref.: 501-28

Serial No. 10/725,051

Group: 3636; Conf. 2968

Filed: December 1, 2003

Examiner: Laux, Jessica L.

For: AIR GAP SPACER FOR USE
IN BUILDING CONSTRUCTION

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 12, 2007

Sir:

REQUEST FOR REFUND

To Whom It May Concern:

It is hereby requested that a two-month extension of time fee erroneously paid in this application be refunded in the amount of \$225.00 for a small entity application and credited to Deposit Account No. 14-1140. The relevant facts justifying this refund are as follows:

On May 29, 2007, an Office Action was issued in this application. The Office Action set a shortened statutory period for reply which was due to expire on August 29, 2007.

On July 25, 2007, the undersigned filed an Amendment in this application.

Thibeau
Application No.: 10/725,051

The Amendment inadvertently included a request for a two-month extension of time to file the Amendment and a fee of \$225.00 to cover the requested extension in a small entity application. The extension fee was erroneously paid because the original due date for filing the Amendment was August 29, 2007, and the Amendment was filed more than a month before this due date, on July 25, 2007. Thus, no extension fee was due at that time. A copy of the transmittal sheet showing the requested two-month extension of time, which was filed with the July 25, 2007 Amendment, is attached to this Request for Refund.

If there are any questions regarding this request for a refund, the undersigned can be called at the telephone number listed below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Robert A. Molan
Robert A. Molan
Reg. No. 29,834

RAM:drt

901 North Glebe Road, 11th Floor
Arlington, VA 22203
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty -501-28

Dkt.

C# M#

Thibeau

Serial No. 10/725,051

TC/A.U.

3636; Conf. 2968

Filed: December 1, 2003

Examiner: Laux, Jessica L.

Date: July 25, 2007

Title: AIR GAP SPACER FOR USE
IN BUILDING CONSTRUCTIONCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment 15 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$ 0.00

Independent claims after amendment 4 minus highest number
previously paid for 3 (at least 3) = 1 x \$100.00 \$0.00 (1201)/\$0.00 (2201) \$ 100.00

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$0.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$0.00 (2251)
Two Month Extensions \$450.00 (1252)/\$0.00 (2252) 225.00
Three Month Extensions \$1020.00 (1253)/\$0.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$0.00 (2254)
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$0.00 (2814) \$

☒ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE \$ 325.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Robert A. Molan, Reg. No. 29,834

Signature:



Adjustment date: 10/01/2007 SDIRETA1
07/26/2007 MAHRED1 00000074 10725051
02 FC:2252 -225.00 OP

07/26/2007 MAHRED1 00000074 10725051

01 FC:2201
02 FC:2252

100.00 OP
225.00 OP

Repln. Ref: 10/01/2007 SDIRETA1 0008101500
DAH:141140 Name/Number:10725051
FC: 9204 \$225.00 CR

#1231340 V1 - 7/25/07 Amendment Transmittal